

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

TAREK J. HELOU (CABN 218225)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7071
Facsimile: (415) 436-7234
Tarek.J.Helou@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 07-00698-MMC
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.)	
)	
ALIREZA RAHMANI,)	
)	
Defendant.)	
_____)	

On November 16, 2007, the parties in this case appeared before the Court and scheduled trial setting before the Honorable Maxine M. Chesney on December 5, 2007. The parties also stipulated that time from November 16, 2007 through December 5, 2007 should be excluded from Speedy Trial Act calculations because defense counsel needs additional time to view evidence seized from the defendant. The parties represented to the Court that the length of the requested continuance was the reasonable amount of time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. 18 U.S.C. §

3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by this continuance outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED.

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney

DATED: November 16, 2007

/s/
TAREK J. HELOU
Assistant United States Attorney

DATED: November 16, 2007

/s/
CARLYLE VARLACK
Attorney for Defendant Alireza Rahmani

As the Court noted on November 16, 2007, and for the reasons stated above, the Court finds that the ends of justice served by the requested continuance outweigh the best interests of the public and the defendant in a speedy trial. The Court also finds that time from November 16, 2007 through December 5, 2007 shall be excluded from Speedy Trial Act calculations for effective preparation of defense counsel. 18 U.S.C. §3161(h)(8)(A). Failing to grant the requested continuance would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: _____

THE HONORABLE BERNARD ZIMMERMAN
United States Magistrate Judge